U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Substitute for fo	orm 14	49/PTO	Complete if Known		
	INFORMATION	DISC	LOSURE	Application Number	10/561,785	
	STATEMENT B	Y API	PLICANT	Filing Date	9/15/2009	
	Date Submitted: 0)ctobe	or 10, 2011	First Named Inventor	Caius ROMMENS	
	Date Submitted.	JCIODE	51 19, 2011	Art Unit	1638	
	(use as many sheets as necessary)			Examiner Name	David T. FOX	
Sheet	1	of	4	Attorney Docket Number	058951-0238	

***************************************		Document Number	U.S. PATENT DO		Pages, Columns, Lines
Examiner Initials*	Cite No. ¹	Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear
/D.F./		US 4,658,082	04-14-1987	Simpson et al.	
	/D.F./	US 4,693,976	09-15-1987	Schilperoort et al.	wa
/D.F./		US 4,743,548	05-10-1988	Crossway et al.	
1 kai (1)	/D.F	/US 4,940,838	07-10-1990	Schilperoort et al.	
/D.F./	7 527 17	US 4,945,050	07-31-1990	Sanford et al.	
	/D F /	US 5,149,645	09-22-1992	Hoekema et al.	
/D.F./		US 5,221,623	06-22-1993	Legocki et al.	
	/D F	US 5,284,253	02-08-1994	Watt et al.	
/D.F./		US 5,302,523	04-12-1994	Coffee et al.	
, 11-01-05	/D.F./	US 5,453,367	09-26-1995	Paszkowski et al.	
/D.F./		US 5,492,852	02-20-1996	Minami	
i tod v (vi	/D.F.	/ US 5,464,763	11-07-1995	Schilperoort et al.	
/D.F./		US 5,591,616	01-07-1997	Hiei et al.	
	/D F	US 5,629,183	05-13-1997	Saunders et al.	
/D.F./		US 5,648,249	07-15-1997	Barry et al.	
/D.F./		US 5,731,179	03-24-1998	Komari et al.	
	DF	US 5,736,369	04-07-1998	Bowen et al.	
/D.F _/ / _{D.F./}		US 5,767,368	06-16-1998	Zhong et al.	
"/D.F./		US 5,767,378	06-16-1998	Bojsen et al.	
/D.F./	/E ==	US 5,886,244	03-23-1999	Tomes et al.	
/D.E./	/D.F./	US 5,932,783	08-03-1999	Borovkov et al.	
/B:F:/		US 5,965,791	10-12-1999	Ebinuma et al.	
/D.F./		US 5,981,840 A	11-09-1999	Zhao et al.	
/D.F./		US 5,990,387	11-23-1999	Tomes et al.	
- <i>i</i> U.I ./	/D F /	US 5,998,701	12-07-1999	Kawchuk et al.	
/D.F./		US 6,051,757	04-18-2000	Barton et al.	
	/D.F./	US 6,100,447	08-08-2000	Wu et al.	
/D.F./		US 6,140,553	10-31-2000	D'Halluin	
	/D.F./	US 6,143,949	11-07-2000	Ozawa et al.	
/D.F./		US 6,153,812	11-28-2000	Fry et al.	
	/D.F./	US 6,160,204	12-12-2000	Steffens	
/D.F./	7 Mart 1 1/	US 6,174,724 B1	01-16-2001	Rogers et al.	
	/D F /	US 6,201,169 B1	03-13-2001	Paszkowski et al.	
/D.F./	, 55 17 1/	US 6,207,880 B1	03-27-2001	Kossmann et al.	
/ Ind a l	/D F	US 6,258,999 B1	07-10-2001	Tomas et al.	
/D E /	1 20 1 1	US 6,265,638 B1	07-24-2001	Bidney et al.	
/D.F./ /D.F./		US 6,403,865 B1	06-11-2002	Koziel et al.	
Le 1 1				1.020.00	

		
Examiner	Date	
Signature	Considered	_

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For January patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Substitute for fo	rm 14	49/PTO	C	Complete if Known		
	INFORMATION	DISC	LOSURE	Application Number	10/561,785		
	STATEMENT B	Y API	PLICANT	Filing Date	9/15/2009		
	Date Submitted: C)ctobe	or 10, 2011	First Named Inventor	Caius ROMMENS		
	Date Submitted. C	CLODE	51 19, 2011	Art Unit	1638		
	(use as many sheets as necessary)			Examiner Name	David T. FOX		
Sheet	2	of	4	Attorney Docket Number	058951-0238		

		UNPUBLISH	IED U.S. PATENT AF	PPLICATION DOCUMENTS	
Examiner Initials*	Cite No. ¹	U.S. Patent Application Document Serial Number-Kind Code ² (if known)	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

			FOREIGN PATENT I	DOCUMENTS		
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³⁻ Number ⁴⁻ Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
/D.F./		EP 0 120 516	10-23-1991	Rijksuniversiteit Leiden		
/D	F./	EP 0 174 166	03-12-1986	Agrigenetics Research		
/D.F./ "	,	EP 0 257 472 A2	03-02-1988	Max-Planck Gesellschaft		
	/D.F./	EP 0 270 822 A1	06-15-1988	Max-Planck Gesellschaft		
/D.F./		EP 0 486 223 B1	01-24-1996	Lucas Ind. Public Ltd. Co.		
	/D.F./	EP 0 554 273 A1	08-11-1993	Clovis Matton N.V.		
/D.F./		EP 0 561 082 B1	02-24-1999	Pioneer Hi-Bred Int'l.		
000000000000000000000000000000000000000	000000000000000000000000000000000000000	EP-0-853-675-A1	07 22 1008	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	00	0000000000
		EP1009842	01-14-1999	Mogen International N.V.	NOT RECEIVE	D
	DF	WO 92/06205 A1	04-16-1992	Clovis Matton N.V.		
		WO 98/04722 A1	02-05-1998	Univ. Heidelberg	DF	
		WO 1999/53030 A1	10-21-1999	Andrew Lefesvre	DF	
	/D.F./	WO 2001/095702 A1	12-20-2001	State of Victoria		
/D.F./	103 3	WO 2001/025459	04-12-2001	Japan Tobacco, Inc.		
/D.F./		WO 2004/040999	05-21-2004	Bayer Cropscience GmbH		

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶			
/D.F./		Simplot's Opposition entitled, "Statement of facts and arguments pursuant to Article 99(1) and Rule 76(1) EPC in support of Opposition by J. R. Simplot Company to European Patent No. EP-B1-1 562 444 (Application No. 03772318.6) in the name of Bayer Cropscience AG entitled 'Process for Reducing the Acrylamide Content of Heat-treated Foods'", May 7, 2010, 19 pages, European Patent Office.				
/D.F./		Bayer's Observation to the Opposition of J.R. Simplot against European Patent No. EP-B1-1 562 444, February 17, 2011, 17 pages, European Patent Office.				

Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Substitute for for	rm 144	19/PTO	Complete if Known		
	INFORMATION I	DISCL	OSURE	Application Number	10/561,785	
	STATEMENT BY	Y APP	LICANT	Filing Date	9/15/2009	
	Date Submitted: O	otoba	r 10, 2011	First Named Inventor	Caius ROMMENS	
	Date Gubilitied. O	Clobe	1 19, 2011	Art Unit	1638	
	(use as many sheets as necessary)			Examiner Name	David T. FOX	
Sheet	3	of	4	Attorney Docket Number	058951-0238	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
/D.F./		Simplot's Comments entitled, "Opposition by J. R. Simplot Company to European Patent No. EP-B1-1 562 444 (Application No. 03772318.6) in the name of Bayer Cropscience AG entitled 'Process for Reducing the Acrylamide Content of Heat-treated Foods'", September 8, 2011, 12 pages, European Patent Office.	
/D.F./		"Declaration of Dr. Caius Rommens, PhD", Opposition by J. R. Simplot Company to European Patent No. EP-B1-1 562 444 (Application No. 03772318.6) in the name of Bayer Cropscience AG, August 9, 2011, 10 pages.	
/D.F./		HOOD et al., "Molecular Farming of Industrial Proteins from Transgenic Maize", advances in Experimental Medicine and Biology, (1999), 464: 127-147.	
/D.F <i>.</i> /		KOUSSEVITZKY et al., "Purification and Properties of a Novel Chloroplast Stromal Peptidase," The Journal of Biological Chemistry, (1998) vol. 273, no. 42, pp. 27064-27069.	
/D.F./		RICHAEL et al., "Cytokinin vectors mediate marker-free and backbone-free plant transformation", Transgenic Res., (2008) 17:905-917.	
/D.F./		ALBER et al., "Nucleotide Sequence of the Triose Phosphate Isomerase Gene of Saccharomyces cerevisiae", Journal of Molecular and Applied Genetics, vol. 1, pp. 419-434, (1982).	
/D.F./		ALTSCHUL et al., "Basic Local Alignment Search Tool", 1990, vol. 215, pp. 403-410, J. Mol. Biol.	
/D.F./		ALTSCHUL et al., "Gapped BLAST and PSI-BLAST: a new generation of protein database search programs," Nucleic Acids Research, (1997), vol. 25, no. 17, pp. 3389-3402.	
/D.F./		BAILEY ,et al., "Combining evidence using p-values: application to sequence homology searches," Bioinformatics, vol. 14, pp. 48-54 (1998).	
/D.F./		DURING, K. "A Plant Transformation Vector with Minimal T-DNA", Transgenic Research, vol. 3, PP. 138-140 (1994).	
/D.F./		HORSCH et al., "A Simple and General Method for Transferring Genes into Plants", March 8, 1985, pp. 1229-1231, Bislingical/Sciences Alfonsanto/Company/St. Louis, MCX USAX Science v. 227	
/D.F./		LOBERTH et al., "Promoter Elements Involved in Environmental and Developmental Control of Potato Proteinase Inhibitor II Expression," The Plant Journal, vol. 2, no. 4, pp. 477-486 (1992).	
/D.F./		NIELSEN, K.M., "Transgenic Organisms-time for conceptual diversification?" <i>Nature Biotechnology</i> , March, 2003, Vol. 21, pp. 227-228.	

Examiner Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08 (09-06)

Approved for use through 03/31/2007, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid

OMB control number.

	Substitute for fo	orm 144	49/PTO	C	Complete if Known		
	INFORMATION	DISC	LOSURE	Application Number	10/561,785		
	STATEMENT B	Y APF	PLICANT	Filing Date	9/15/2009		
	Date Submitted: C	Octobe	r 19 2011	First Named Inventor	Caius ROMMENS		
			,	Art Unit	1638		
	(use as many sheets as necessary)			Examiner Name	David T. FOX		
Sheet	4	of	4	Attorney Docket Number	058951-0238		

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T _e			
/D.F./		ROHDE et al., "Structural and Functional Analysis of Two Waxy Gene Promoters from Potato," J. Genet & Breed, vol. 44, pp. 311-315 (1990).				
/D.F./		ROMMENS, C.M., "All-Native DNA Transformation: A New Approach to Plant Genetic Engineering", Trends Plant Sci., September 9, 2004, vol. 9, no. 9, pp. 457-464.				

Examiner Signature	/ / / / / / / / / / / / / / / / / / /	Date Considered	11/03/2011

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.